

RESOLUTION NO. 75755

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SUBMIT A GRANT APPLICATION IN AN AMOUNT NOT TO EXCEED \$300,000 TO THE STATE OF CALIFORNIA UNDER THE COMMUNITY BASED TRANSPORTATION PLANNING GRANT PROGRAM FOR THE PREPARATION OF A MASTER PLAN FOR THE THREE CREEKS TRAIL, WITH A LOCAL CONTRIBUTION OF \$340,00, TO ACCEPT THE GRANT IF AWARDED, AND TO NEGOTIATE AND EXECUTE ALL RELATED DOCUMENTS

WHEREAS, the Office of Community Planning at the California Department of Transportation ("Caltrans") works to influence the integration of land use and transportation decisions at the local level through the Community Based Transportation Planning ("CBTP") grant program, primarily used to seed planning activities that encourage smart growth and livable communities, helping communities develop concepts or plans that promote efficient land use transportation infrastructure investments, and addressing sustainable growth while maintaining community value and integrity; and

WHEREAS, Caltrans manages CBTP which is funded via the State Highway Account, which generally has a budget of \$3,000,000 each year, and allows a maximum grant award to be capped at \$300,000; and

WHEREAS, the Three Creeks Trail is identified in the City's Greenprint for Parks and Community Facilities and Programs to provide an opportunity for trail inter-connection linking the future Los Gatos Creek Trail, Guadalupe River Trail, Highway 87 Bikeway, and the Coyote Creek Trail; and

WHEREAS, on November 17, 2009, the City Council of the City of San José ("City Council") adopted the San José Bike Plan 2020, of which the Three Creeks Trail is one of the Trail Systems identified; and

WHEREAS, the project will result in a Master Plan defining future trail improvements along the Three Creeks alignment from Los Gatos Creek to Coyote Creek, with linkages to Guadalupe River and Highway 87 Bikeway, although design and construction of the Project may occur at some future date after completion of the Master Plan and after sufficient resources are identified and appropriated;

NOW, THEREFORE, BE IT RESOLVED BY THAT THE COUNCIL OF THE CITY OF SAN JOSE HEREBY:

1. Authorizes the City Manager, or designee, to submit a grant application in the amount not to exceed \$300,000 to the State of California under the Community Based Transportation Planning grant program for the preparation of a Master Plan for the Three Creeks Trail (the "Project"); and
2. Certifies that the City of San José ("City") will contribute \$340,000 towards the Project; and
3. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines for the Project; and

4. Delegates the authority to the City Manager, or designee, to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Project; and
5. Authorizes the City Manager, or designee, to resubmit the grant application in subsequent years for the same amount and grant requirements described in this memorandum if the City is unsuccessful in receiving an award with the initial grant application and to negotiate and execute any necessary documents to effectuate the grant.

ADOPTED this 15th day of March, 2011, by the following vote:

AYES: CAMPOS, CHU, HERRERA, LICCARDO, NGUYEN,
OLIVERIO, PYLE, ROCHA; REED.

NOES: NONE.

ABSENT: CONSTANT, KALRA.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



DENNIS D. HAWKINS, CMC
City Clerk